

USPTO Customer No. 25280

Case 5585

REMARKS

Claims 1-16 are pending in this application. No claims have been cancelled. Claims 1 and 8 have been amended to recite a specific shape for the undulations (i.e., a chevron shape) and to recite that the undulations are present on at least adjacent edges of each tile. Support for this amendment is found in the drawings in Figures 1 and 2.

Rejection under 35 USC 103

Claims 1-16 are rejected under 35 USC 103(a) as being unpatentable over US 2004/0258870 issued to Oakey et al., in view of US 5,330,806 to Blythewood et al., USD 492,426 issued to Strickler, and USD 479,424 issued to Sellman, Jr.

The Examiner contends that the Oakey reference teaches the presently claimed invention with the exception of (a) serged border edges and (b) undulations for interlocking. She argues that serged edges would have been an obvious alternative to the exemplary border tile edges to provide a finished look and to provide a taper down to the floor surface. She further argues that it would have been obvious to employ undulation to aid in the interlocking of the carpet tiles.

From Applicant's understanding, the Oakey reference appears to teach a reconfigurable floor covering including a plurality of modular units that may be easily assembled in a variety of designs. Oakey teaches beveled edges for the carpet tiles. However, Oakey fails to teach serged edges. The Examiner contends that serged edges are commonly used for area rugs.

However, Applicant's disclosure teaches an area rug comprised of a plurality of tiles, in which only the edge portions of those tiles positioned along the perimeter of the entire

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rug assembly are serged. In this construction, the position of an individual tile determines which (if any) of its edges are serged and which of its edges have an interlocking structure (in this case, in the shape of at least two chevrons). For instance, tiles positioned on the corners of the rug assembly have two adjoining serged edges and two adjoining edges with an interlocking structure. Tiles positioned in the center of the area rug may have zero or one serged edge, with the remaining edges having an interlocking structure.

The Oakey et al. reference does not teach a modular floor covering in which the tiles have chevron-shaped undulations or a modular floor covering in which the tiles have both chevron-shaped undulations and serged edges. The Strickler patent does not overcome this shortcoming, nor does the patent to Blythewood. Both Strickler and Blythewood teach modules with interlocking edges, but fail to disclose the combination of interlocking edges with serged edges on individual modules. Additionally, neither Strickler nor Blythewood teach the use of chevron-shaped undulations to interlock adjacent tiles.

The Sellman, Jr. reference discloses a tile with undulating edge portions on opposite sides. However, because the Sellman, Jr. reference is only a design patent, it is silent with respect to how a modular area rug might be formed utilizing tiles with undulating edge portions and tiles having both undulating edges and serged edges.

Therefore, the combination of references does not teach Applicant's claimed invention. For this reason, Applicants believe the rejection to be improper and respectfully request that it be withdrawn.

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CONCLUSION

For the reasons set forth above, it is respectfully submitted that all claims now stand in condition for allowance.

Should any issues remain after consideration of this Amendment and accompanying Remarks, the Examiner is invited and encouraged to telephone the undersigned in the hope that any such issue may be promptly and satisfactorily resolved.

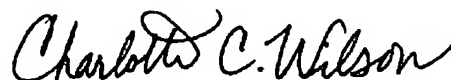
This paper is accompanied by a Petition for Extension of Time (1 month) and a copy thereof.

In the event that there are additional fees associated with the submission of these papers (including extension of time fees), authorization is hereby provided to withdraw such fees from Deposit Account No. 04-0500.

Respectfully submitted,

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